

REMARKS

In the Office Action mailed April 18, 2006, the Examiner noted that claims 1-19 were pending, allowed claims 1-12, and rejected claims 13-19. Claim 15 has been amended, new claims 20-23 have been added and, thus, in view of the forgoing claims 1-23 remain pending for reconsideration which is requested. No new matter has been added. The Examiner's rejections and objections are traversed below.

The drawing and specification have been amended to correct errors noted by the Examiner on page 2 of the Action. Withdrawal of the objection is requested.

Claim 15 has been amended to correct errors noted by the Examiner on page 3 of the Action. Withdrawal of the objection is requested.

On page 3 of the Office Action, the Examiner rejected claim 15 under 35 U.S.C. § 102 as anticipated by Sciammarella in particular as allegedly taught by the graphic 322/324 in figure 4 and the discussion thereof (see col. 3, lines 42-51) in Sciammarella. This graphic is not draggable but is rather a typical pull down menu where controls 324 are "pulled" down or pop-into into visibility when 322 is selected ("clicked") as indicated by the "+" and then the cursor can be moved (dashed line) to select ("clicked") zoom (although the text says pan is selected) as indicated by the "+" in the zoom control. In contrast, claim 15 calls for "a draggable graphic draggable by an input cursor". Sciammarella does not teach or suggest such.

It is submitted that claim 15 patentably distinguishes over Sciammarella and withdrawal of the rejection is requested.

Page 4 of the Office Action rejects claims 13-15 under 35 U.S.C. § 102 as anticipated by Berman.

With respect to claim 13, the Examiner alleged that the action handle 40 (or 40') when dragged by a stylus provides mouse pointing and button emulation. This allegation is contradicted by Berman at col. 17, lines 18-30, particularly lines 26-30 where Berman indicates the action using the stylus and action handle is not an emulation "providing mouse pointing and mouse button emulation". It is submitted that Berman does not teach or suggest such.

It is submitted that claim 13 patentably distinguishes over Berman and withdrawal of the rejection is requested.

Claim 14 depends on claim 13 and is also submitted to be patentable.

With respect to claim 15, the Examiner alleges that the action handle 40 is draggable by a

cursor and points to Berman col. 15, line 57 - col. 16, line 13. However, this text discusses the handle being draggable by the stylus rather than the by cursor. Dragging with the stylus is very different than dragging with the cursor. Berman does not teach or suggest dragging with the cursor.

It is submitted that claim 15 patentably distinguishes over Berman and withdrawal of the rejection is requested.

It is submitted that the claims 13-15 distinguish over the prior art and withdrawal of the rejection is requested.

Page 4 of the Office Action rejects claims 16-19 under 35 U.S.C. § 103 obvious over Berman.

With respect to claim 16 the Examiner acknowledged that Berman does not teach a mouse graphic but argued such was obvious. It is submitted that Berman does not teach or suggest such contrary to the allegation by the Examiner. Berman provides no motivation to modify his teachings to provide a mouse graphic.

In addition, the Examiner does not appear to give the significance to the moving the graphic "as a tracking menu in response to pen movement". As discussed in the incorporated related application entitled Tracking Menu, System And Method, a tracking menu includes a tracking symbol, such as an arrow or cursor, that is positioned corresponding to inputs from transducer, such as the pen, as moved by a user. A mobile tracking region, such as a mouse graphic is also included. This tracking region has a boundary enclosing the tracking symbol where the tracking symbol is movable within the boundary. The tracking region moves in correspondence to the tracking symbol when the tracking symbol encounters or bumps against the boundary while moving. That is, movement of the mouse graphic occurs when the cursor pushes the boundary. Berman does not teach or suggest such tracking menu movement. Claim 16 is submitted to be patentable over Berman.

Claims 17-19 emphasize similar features and are also submitted to be patentable.

It is submitted that claim 16-19 distinguish over the prior art and withdrawal of the rejection is requested.

New claim 20 emphasizes that the draggable graphic is itself draggable by the input cursor controlled by an input device. New claim 21 emphasizes that the pen cursor tracking graphic provides mouse pointing and mouse button clicking emulation. New claim 22 emphasizes that tracking menu movement is responsive to a cursor which is responsive to the pen. New claim

23 emphasizes that the graphic is moved as a tracking menu responsive to movement of a pen by moving the graphic when a cursor hits a boundary of the graphic. Nothing in the prior art teaches or suggests such. It is submitted that these new claims, which are different and not narrower than prior filed claims distinguish over the prior art.

It is submitted that claims 1-12 continue to be allowable. It is further submitted that the claims are not taught, disclosed or suggested by the prior art. The claims are therefore in a condition suitable for allowance. An early Notice of Allowance is requested.

If any further fees, other than and except for the issue fee, are necessary with respect to this paper, the U.S.P.T.O. is requested to obtain the same from deposit account number 19-3935.

Respectfully submitted,

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